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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,751	12/22/2000	Glen E. Salmon	1280.2001-000	4709

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EXAMINER

TRUONG, LECHI

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 04/13/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/747,751

Applicant(s)

SALMON, GLEN E.

Examiner

LeChi Truong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. The claims 1-19 are presented for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim Rejections - 35 USC § 103

2. Claims 1-3, 5-11, 13-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dundon (US. Patent 6,253,257 B1) in view of Goldberg et al (US. Patent 6,496,833 B1).

3. As to claim 1, Dundon teaches the invention substantially as claimed including: an application (a client node, col 3, ln 5-50/ application 116, 134, col 4, ln 45-67), a request (a request / command, col 3, ln 5-50/ calls, col 4, ln 45-67/ the invoked API col 5, ln 5-50/ col 6, ln 15-32), functionality (the API, col 5, ln 5-50/ col 6, ln 5-32/ ln 55-68), a first component (libraries/ first programming environment, col 5, ln 5-50/ col 6, ln 55-68), a portion of the functionality (the function, col 6, ln 15-32), application programming interface (API, col 6, ln 15-32/ col 6, ln 35-68), an indication(specified, col 5, ln 1-67, col 6, ln 10-32, detect, col 4, ln 45-68), an augmentation component(remote programming environment, col 5, ln 5-67, col 6, n 6, ln 55-68), loaded augmentation component(loading the selected libraries, col 7, ln 1-21).

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Dundon does not teach querying. However, Goldberg teaches querying (a query object/ query result, col 5, ln 65-57 to col 6, ln 1-7).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Dundon and Goldberg because Goldberg's querying would retrieve the desired information, which meets the characteristics specified in the query.

4. **As to claim 2**, Dundon teaches looking (searching, col 6, ln 1-32), the augmentation component (library 120, col 3, ln 30-50), the application (application 116, ln 30-50).

5. **As to claim 3**, Dundon teaches a network (network agent 130, fig. 1, col 3, ln 65-68 (col 4, ln 1-10)).

6. **As to claim 5**, Dundon teaches a catalog (library list, col 5, ln 5-61).

7. **As to claim 6**, Dundon teaches the catalog (library list, col 5, ln 5-61), the first request (the API, col 3, ln 30-60/ col 7, ln 1-27).

8. **As to claim 7**, Dundon teaches the catalog the catalog (library list, col 5, ln 5-61), the specific request (the API, col 3, ln 30-60/ col 7, ln 1-27).

9. **As to claim 8**, Dundon teaches the databases (the database management system, col 3, ln 29-50).

10. **As to claim 9-11, 13-17**, they are apparatus claims of claims 1-8; therefore, they are rejected for the same reasons as claim 1-8 above.

11. **As to claim 18**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above. In addition, Dundon teaches a computer (computer, col 2, ln 60-67), set of computer program instruction (the application program component 114, col 3, ln 30-50).

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12. **As to claim 19**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above

13. Claims **4,12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Dundon (US. Patent 6,253,257 B1) in view of Goldberg et al (US. Patent 6,496,833 B1) in view of Ramos et al (US. Patent 5,896,533).

14. **As to claim 4**, Dundon and Goldberg do not teach Uniform Resource Locator. However, Ramos teaches Uniform Resource Locator (URL, col 2, ln 30-44).

15. It would have been obvious to one of the ordinary skill in the art at time the invention was made to combine the teaching of Dundon, Goldberg and Ramos because the Ramos' URL would establishes the proper connection once the protocol is identified and established.

16. **As to claim 12**, it is an apparatus claim of claim 4; therefore, it is rejected for the same reason as claim 4 above.

Response to the argument

17. Applicant amendment filed on 1/13/2004 has been considered but they are not persuasive.

18. In remarks, applicant argued in substance that (1) “ receiving from an application a request for functionality to be fulfilled by a first component implementing at least a portion of the functionality within API ” (2) Only then will different than performing API mapping in

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response to an API being called”, (3) “ Querying a database is very different than queering the first component for the requested functionally”.

19. Examiner respectfully traversed Applicant’s remarks:

As to the point (1), Dundon teaches receiving from an application a request for functionality to be fulfilled by a first component (application 116, 134 calls a function that performs the dynamic API mapping procedure. When this occurs, libraries required by the invoked API are identified “(col 4, ln 60-67), at least a portion of the functionality within API (API in the library, col5, ln 1-5), the portion of the functionality is implemented within API. Applicant failed to explain why the reference does not meet that claim limitation.

As to the point (2), “performing API mapping in response to an API being called” is not in the claim limitation.

As to the point (3), the different from querying a database and querying the first component is not in the claim limitation.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (703) 305 5312. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Meng-Ai An can be reached on 703-305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

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may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

April 1, 2004



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